MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS
HELD IN WASHINGTON, D. C., APRIL 25, 1935

The eighth meeting of the Commission of Fine Arts during the fiscal year 1935, was held in its office in the Navy Department Building on April 25, 1935. The following members were present:

Mr. Moore, Chairman,
Mr. Swartwout,
Mr. Howells,
Mr. Coolidge,
Mr. Savage,
also H. P. Caemmerer,

Executive Secretary and Administrative Officer.

The meeting was called to order at 9:30 a. m.

1. APPROVAL OF MINUTES OF PRECEDING MEETING: The Minutes of the meeting of the Commission held on March 23, 1935, were approved.

2. MODEL FOR THE STATUE OF GENERAL ARTEMAS WARD: A model of the Artemas Ward statue was received from Mr. Leonard Crunelle, of Chicago. The entire height of the model is 44 inches--a 19-inch figure and a 25-inch pedestal. Mr. Crunelle sent the following letter to accompany the model:

April 23, 1935.

Dear Mr. Caemmerer:

The two boxes containing the model of the Artemas Ward monument were sent by Railway Express and should be delivered to you Wednesday morning. I am also sending a blue print with this letter.

In designing the model, with the help of Mr. Smith, the architect, it has been my object to make the statue and the pedestal as near a unit as possible. If the Fine Arts Commission feel that this has been obtained and that the model is satisfactory, I could proceed with pointing the figure to full size, which could be done in a few weeks, and make whatever corrections may be desired in the full size. When the design for the pedestal has been approved the foundation can be put in and work started at the quarry so that the different phases of the work will progress as rapidly as possible.

Because of last minute changes in the pedestal the reliefs around the top are not shown on the model but are suggested in the blue print and will be carved so that the silhouette of the stone will not be broken. Models of the reliefs will be submitted after the design of the pedestal has been approved. I have received an estimate of twelve thousand dollars for the pedestal in polished Chelmsford Grey granite.

I will be very glad to hear from you regarding the comments and criticisms of the Commission.

Yours very truly,
(Signed) Leonard Crunelle.

The members of the Commission present inspected the model. They liked the upper part of the figure and thought it made an excellent silhouette. The members agreed that the legs are too spindly. Mr. Savage suggested a change in the transition from the statue to the long column-like pedestal, and it was thought the butt of an old cannon at the back would help. The pedestal did not at all please the members and they advised that it be re-studied. Also they did not favor sculpture on the pedestal. Mr. Coolidge said it has always been a difficult thing to work out the entasis on a column. In the absence of Mr. Lawrie, no further action was taken with reference to the model.

In the afternoon the Commission inspected the Ward Circle at the intersection of Massachusetts and Nebraska Avenues, which has been completed by the District of Columbia for the statue.

Arrangements were made to have Mr. Lawrie come to Washington to inspect the model and he came on Wednesday, May 1. Mr. Lawrie concurred in the criticisms of the members of the Commission concerning the model and went even further by calling attention to other defects in the figure. He strongly recommended that the sculptor should make a thorough study of the pedestal with

the architects and submit a new design. Mr. Lawrie said that the architects are competent men and there should be no trouble in getting a good design.

Mr. Moore called attention to the pedestal for the Alexander Hamilton Statue. A report was drafted, embodying the recommendations of the Commission and this was sent to Mr. Crunelle. (Exhibit A) (See also A-1)

3.. THOMAS JEFFERSON MEMORIAL: Mr. Moore stated that he had been requested to attend the Thomas Jefferson Memorial Commission meeting (Exhibit B), created under the Act of Congress, approved June 26, 1934, 48 Stat., page 1243, which reads as follows:

Public Resolution--No. 49--73d Congress
H. J. Res. 371
JOINT RESOLUTION

Authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction, on the apex block, Constitution and Pennsylvania Avenues, in the city of Washington, District of Columbia, of a permanent memorial to the memory of Thomas Jefferson, third President of the United States and author of the Declaration of Independence.

Whereas there exists no adequate permanent national memorial to Thomas Jefferson in the Nation's Capital; and

Whereas the American people feel a deep debt of gratitude to Thomas Jefferson and in honor of the services rendered by him:

Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the "Thomas Jefferson Memorial Commission", for the purpose of considering and formulating plans for designing and constructing a permanent memorial in the city of Washington, District of Columbia. Said Commission shall be composed of twelve commissioners as follows: Three persons to be appointed by the President of the United States, three Senators by the President of the Senate, three Members of the House of Representatives by the Speaker of the House of Representatives, and three members of the Thomas Jefferson Memorial Foundation, Incorporated, to be selected by such foundation.

Sec. 2. The Thomas Jefferson Memorial Commission may in its discretion accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing, and considering plans and estimates for the improvement, construction, or other expenses incurred, or to be incurred.

Sec. 3. That said Commission shall annually submit to Congress a report of the progress of the work of the Commission.

Mr. Moore said that the erection of a memorial to Thomas Jefferson in the National Capital has been pending for many years and that in his opinion the memorial and location should be given very careful consideration. The Act mentions the site designated for the Apex Building, but he believed this would prove unsatisfactory. Mr. Moore then read the following memorandum which he had prepared for the meeting:

April 25, 1935.

Memorandum for the Thomas Jefferson Memorial Commission.
Prepared by the National Commission of Fine Arts.

First. It may be assumed that the Memorial to Thomas Jefferson will be one of themost distinguished structures in the National Capital. Such being the case, the location becomes a matter of first importance. It is essential that the surroundings shall be such as to enhance and not detract from its impressiveness. This can be obtained only by a certain degree of isolation. The location should not be in the midst of commercial or even Governmental activities, where multitudes intent on their own business pass it indeed; but few actually go to visit it. The test of a monument is not the number of people who see it, but the impression it makes. Both the Washington Monument and the Lincoln Memorial, and the Grant Monument at the head of the Mall, are instances of ideal locations.

Second. The Jefferson Memorial should be vitally related to the great plan of Washington, in the preparation of which he played a considerable part. Thus the memorial would contribute to the perfection of the Washington Plan, and correspondingly would derive importance from that plan. The location should not seem haphazard or ill considered.

Third. The number of sites having such attributes is not large. Any site selected probably would require special treatment to bring it into its potential relationships, as indeed happened to the three monuments already mentioned. Both the possibilities of any location and the ways and means of realizing those possibilities require study and consideration.

Fourth. The character of the memorial must be determined before any work is entered upon. This character may be determined by preliminary agreement in the Commission charged with the building; or as the result of a competition conducted under such conditions as shall ensure the participation of the most competent architects and sculptors.

Fifth. These considerations are advanced by way of calling attention both to the great possibilities and also to the necessity of mature consideration needed in order to attain a result commensurate with public expectations.

The members of the Commission thought the memorandum very good.

A discussion followed as to the use of the site south of the Washington Monument, designated in the Plan of 1901, as a site for a memorial to the Founders of the Republic. The Commission agreed that this would be a fine location for a memorial but that a large appropriation would be necessary to bring the site into shape.

(Mr. Fiske Kimball called on Mr. Moore about noon on April 30, and discussed with him the question of location of the memorial. On the afternoon of May 1, Mr. Moore, Mr. Lawrie and Mr. Caemmerer made an inspection trip through Potomac Park and noted the site south of the Washington Monument. It was agreed that the site would be an excellent location for a memorial to Thomas Jefferson.)

4. TWELFTH REPORT OF THE COMMISSION OF FINE ARTS: Mr. Moore read a letter, addressed to the President, transmitting the Twelfth Report of the Commission of Fine Arts to the President of the United States. This letter was approved by the members of the Commission and they signed it individually. (Exhibit C)

Mr. Moore said the last paragraph was put in deliberately to call attention to the importance of developing Pennsylvania Avenue west of the White House, because, he said, we see the mistake Mr. Ickes made in locating the Interior Department building back of the Red Cross and D. A. R. buildings.

He put the building in this subordinate position, whereas it might have been facing Pennsylvania Avenue between 18th and 19th Streets. Mr. Moore called attention to the fact that the triangle west of 17th Street between New York and Constitution Avenues has been taken up for the most part by semi-public buildings.

5. ACACIA MUTUAL LIFE INSURANCE COMPANY BUILDING: Mr. William F. Lamb, representing the firm of Shreve, Lamb and Harmon, architects, of New York City, submitted in behalf of the Acacia Mutual Life Insurance Company a design for their new building at Louisiana and New Jersey Avenues, N. W., adjacent to Union Station Plaza. The first unit will be 300 feet long, facing Louisiana Avenue, and 55 feet wide. The building will be 90 feet in height or six stories. It will be air-conditioned and sound-proof. The building was designed so as not to compete with the dome of the Capitol. Mr. Lamb said that due to the slope of the ground in that locality about 10 feet in height is cut off from the building from most any point of view and, therefore, they have designed the first floor to be 12 feet above the curb. The building will be 60 feet back from Louisiana Avenue and about 30 feet from New Jersey Avenue. The entrance will be terraced and the surrounding area landscaped. The building is designed in the classical order to conform to the federal buildings in Washington and the architects want it to be faced with white marble. There will be no sign on the building but an inscription will be carved in stone.

The architect members of the Commission regarded the design simple and dignified. Some of the members had seen the design in New York while it was being developed. The Commission unanimously approved the design. (Exhibit D; see also D-1 and D-2.)

6. GULF REFINING SERVICE STATION DESIGN: Mr. H. T. Porter submitted for the Gulf Refining Company a design for a service station to be built at Massachusetts Avenue and Second Streets, N. E. The building was designed in the Georgian type of architecture as the Commission had recommended at a previous meeting. The Commission regarded the design a good one and approved it with the suggestion that the main entrance, which was designed as monumental, be simplified so as to be more in harmony with the rest of the building. The Building Inspector was notified accordingly. (Exhibit E)

7. STATUE TO GENERAL GOETHALS: Hon. S. O. Bland, Chairman of the Committee on Merchant Marine and Fisheries, submitted on April 15, 1935, the following letter, together with a bill (H. R. 7501) providing for the erection of the statue:

Honorable Charles Moore, Chairman,
Commission of Fine Arts,
Washington, D. C.

Dear Mr. Moore:

Enclosed herewith I hand you two copies of H. R. 7501, a bill to authorize the erection of a suitable statue of Major General George W. Goethals within the Canal Zone.

The Committee will be pleased to have such report and recommendations as you may wish to submit in connection with this proposed legislation.

It will be appreciated if your report is submitted in duplicate.

Yours very sincerely,
(Signed) S. O. Bland,
Chairman.

74th Congress
1st Session

H. R. 7501

IN THE HOUSE OF REPRESENTATIVES
April 13, 1935

- 7 -

Mr. Bland introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries and ordered to be printed

A BILL

To authorize the erection of a suitable statue of Major General George W. Goethals within the Canal Zone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized, through such person or persons as he may designate, to select an appropriate site within the Canal Zone and to cause to be erected thereon a suitable statue of heroic size of Major General George W. Goethals in commemoration of his signally distinguished services in connection with the construction and operation of the Panama Canal.

Sec. 2. The design and location of such statue and the plan for the development of the site shall be submitted to the Commission on Fine Arts for advisory assistance.

Sec. 3. There is hereby authorized to be appropriated a sum not to exceed $100,000 for every object connected with the purposes of this Act, including site development and any essential approach work.

Mr. Moore called attention to the fact that General Gorgas has been commemorated in Panama by the Gorgas Institute for the study of tropical diseases, for which Congress makes an annual appropriation of $50,000; also that Colonel Gaillard has been commemorated by a memorial tablet at the former Culebra Cut, which is now called the Gaillard Cut. Mr. Moore thought the bill should be amended to make it more general as it could not be determined at this time what the character of the memorial would be nor where it would be located.

The members of the Commission agreed with this and Congressman Bland was informed accordingly. (Exhibit F)

8. NAVAL HOSPITAL BUILDINGS: At the request of Mr. Moore, Captain DeWitt C. Wood and Mr. F. W. Southworth of the Bureau of Yards and Docks, Navy Department, resubmitted plans for the extension of the Naval Hospital buildings. These plans had been approved by the Commission of Fine Arts in 1932. At present the

Secretary of the Navy is trying to secure an allotment from P. W. A. funds for the construction of the buildings. The Commission took note of the lay-out of the buildings. Their erection would involve the removal of the temporary hospital wards of World War days now on the grounds. Mr. Southworth said the specifications have been prepared for the first unit of the structures, which is to be started as soon as an appropriation is made available. He said the main new building will be 155 feet high, very simple in design and will mass up nicely. The architect members of the Commission inspected the drawings and thought they would work out satisfactorily.

9. STATUE OF LEIF ERIKSON FOR CHICAGO: Mr. Moore reported that Mr. Oskar Hansen, sculptor, of Chicago, had called a few days ago at the request of Senator Norbeck and others concerning a proposed statue of Leif Erikson to be built at the lake front east of the Art Institute and along Leif Erikson Drive. The statue is to be 39 feet high and will stand between pillars faced in granite and 93 feet high. Mr. Hansen filed a letter regarding the design (Exhibit G). The statue is to be erected by a P. W. A. allotment, for which request has been made.

The members of the Commission present thought the design rather spectacular but felt the project merited the endorsement of the Commission of Fine Arts. In the absence of Mr. Lawrie no further action was taken in the matter.

On May 1, Mr. Lawrie inspected the large photographs of the model that had been submitted by Mr. Hansen and he also talked with Mr. Hansen, who happened to call at the office of the Commission that day. Mr. Lawrie said he had known of the model, which was exhibited at the Chicago Fair while he was consultant on the sculpture of the Fair. Mr. Lawrie felt too as the other members of the Commission that it was a spectacular thing but one that merited the endorsement of the Commission. Mr. Lawrie and Mr. Hansen talked over various details of the model.

10. MUNICIPAL CENTER PLANS: Mr. Nathan C. Wyeth, Municipal Architect, accompanied by his assistant, Mr. Kundze, submitted further studies for the Municipal Center development. Mr. Wyeth presented perspectives for the Police Court Building, to be built in Judiciary Park between E and F Streets along Fifth Street and the Municipal Court Building to be built on the east side of the park between E and F Streets along Fourth Street. Each of these buildings will be alike in design--335 feet in length and 110 feet wide. They will resemble the present District Supreme Court Building in Judiciary Park, which is the old City Hall, designed by Hadfield. There will be 450 feet of open space between the Police Court and the Municipal Court Buildings.

Mr. Wyeth also submitted a design for the Juvenile Court Building, which will also house the Recorder of Deeds Office. It will be built northeast of the present District Supreme Court building, balancing the Court of Appeals building. Plans for the new administration building of the District of Columbia on the south side of Indiana Avenue opposite the present District of Columbia Supreme Court building and a new District of Columbia Supreme Court Building to be built many years later at the site of the old Pension Office Building were also indicated in the plot plans.

The architect members of the Commission thought Mr. Wyeth had made a very good design for these new court buildings. A few suggestions in matters of detail were made to him. Mr. Wyeth said these were simply progress studies and more complete designs would be submitted later.

Mr. Nolen of the National Capital Park and Planning Commission was asked whether the location of the buildings as proposed in Judiciary Park was satisfactory to his Commission and he stated that the National Capital Park and Planning Commission regretted the use of park areas for public buildings but

it was thought by making further study with the Municipal Architect of the location of these buildings more park space could be saved, possibly by placing the buildings at the edge of the streets, which Mr. Wyeth had done.

Mr. Wyeth said that the new Municipal Center scheme reduces the cost of the project by one-half.

11. CHAIN BRIDGE PROJECT: Mr. George C. Shinn, Chairman of the Committee on Bridges of the Washington Board of Trade, submitted the following letter, requesting the advice of the Commission of Fine Arts as to a new Chain Bridge:

April 11, 1935.

Hon. Charles Moore,
Chairman, Commission of Fine Arts,
Washington, D. C.

My dear Mr. Moore:

Enclosed is a copy of a communication addressed under even date to Hon. Frederic A. Delano, Chairman, National Capital Park and Planning Commission.

By reference to the enclosure you will note that a suggested draft of a bill has been submitted to Mr. Vernon E. West, Assistant Corporation Counsel of the District of Columbia dealing with the Chain Bridge project.

We also enclose a copy of the proposed draft of this bill and would be glad if you would have a representative of your Commission quickly review the provisions of the bill giving us the benefit of your immediate reactionas to any suggested amendments or improvements.

It is important from our point of view to proceed with all reasonable dispatch to secure this necessary legislation, if we are to accomplish anything of a practical nature with respect to either a replacement of the Chain Bridge with a new structure at another site, or, as has been suggested in some quarters, by repairing the present Chain Bridge and widening it so that the new structure would rest upon the present piers.

Kindly give us the benefit of your views upon this subject at the earliest possible date.

Very cordially yours,
(Signed) G. C. Shinn,
Chairman, Committee on Bridges of the
Washington Board of Trade.

A copy of the letter addressed to Mr. Delano and a draft of the bill were also received. (Exhibit F)

The matter was brought to the attention of Mr. Clarke, who reported as follows:

April 23, 1935.

Mr. Charles Moore, Chairman,
The Commission of Fine Arts,
Navy Department Building,
Washington, D. C.

Dear Mr. Moore:

I have your note concerning the change in the date on which the anniversary dinner of the Commission of Fine is to be held. Thursday, May 23rd, is most satisfactory to me.

I regret exceedingly my inability to attend the next meeting of the Commission on April 25th. It is only the pressure of work which keeps me away. I am exceedingly reluctant to miss any of the meetings.

Mr. Caemmerer wrote me concerning the Chain Bridge. Personally, I feel very strongly that the new bridge should be a high level one. This is important in order to provide a circumferential drive around Washington so that those approaching the City from Baltimore and other points may by-pass the City, if they so desire, and thus relieve traffic congestion within the district. I know that the Planning Commission has given a considerable amount of study to this problem and more particularly as it affects the district and the region outside. Naturally, a new high level bridge will require radical changes in the highway system some distance back from the bridge approaches. This, however, is inevitable and should be made part of the bridge project. If these approach highways are to carry mixed traffic, as I expect they will, then it would be appropriate to have wide rights-of-way not less than 200 feet purchased so that they may be in the nature of "freeways".

I have looked over the proposed draft of legislation which Mr. Caemmerer submitted. I can see no reason why another Commission should be set up for this project. To do so would entail unnecessary expense. My recommendation would be to authorize the Bureau of Public Roads to make the studies, designs, and let the contracts subject to the approval of the National Capital Park and Planning Commission and the National Commission of Fine Arts.

With kind regards, I am

Sincerely yours,
(Signed) Gilmore D. Clarke.

Mr. Moore said that after giving further study to the question of a new Chain Bridge, he was of the opinion that a bridge is needed at the present site of Chain Bridge because of roadway connections existing on the Virginia and District of Columbia sides but that it should be a low park bridge and should be suitably designed in connection with a landscape plan for the treatment of the Valley of the Potomac in this locality. Mr. Moore felt that the long bridge proposed further up the river to connect with the George Washington Memorial Parkway would be much more costly and in his opinion the George Washington Memorial Parkway might not be built for many years.

The members present felt it was not a question for the Commission of Fine Arts to decide, where the new Chain Bridge should be built; however, they believed that if the bridge is to be rebuilt at the present location it should be a low park bridge and should be in keeping with the Memorial Bridge and the Key Bridge. A report was sent to Mr. Shinn accordingly. (Exhibit H-1)

12. PROTEST AGAINST ESTABLISHMENT OF A SLAUGHTER-HOUSE: The Secretary reported that every year or two some one proposes to build a slaughter-house near Washington; he called attention to the fact that a few years ago when such a movement was on foot to build a slaughter-house near the Arlington National Cemetery, members of Congress threatened to block the construction of the Arlington Memorial Bridge. The members of the Commission said that a slaughter-house near Washington would be a nuisance and a disgrace and that if such an establishment has to be maintained, it should be kept as far from the City of Washington as possible. The following resolution was adopted:

RESOLVED that the Commission of Fine Arts are unanimously opposed to the erection and maintenance of a slaughter-house in the City of Washington or in the Greater Washington area.

13. RADIO TOWER FOR AMERICAN BROADCASTING COMPANY: Under date of April 16, 1935, a letter was received from Mr. Le Roy Mark, Washington, D. C., requesting the advice of the Commission as to the erection of a radio tower 150 feet high in the City of Washington (Exhibit I). Action in the matter was deferred until the next meeting.

14. GASOLINE SERVICE STATION AT LOUISIANA AVENUE AND SECOND STREET: Mr. Moore again called attention to the project to erect a gasoline service station at Louisiana Avenue and Second Street. He reminded the Commission that Mr. Heaton had designed a Georgian building for the place but there is objection to its erection on the part of members of Congress. Also a protest against the station has been made by Mr. Frederic Delano, Chairman of the National Capital Park and Planning Commission. The project has been held up because the Committee on Enlarging the Capitol Grounds refuses to grant a permit to construct necessary driveways into the lot from Louisiana Avenue. There is no way this Commission can stop the erection of the gas station since the Zoning Regulations do not prohibit gas stations in that locality. Mr. Moore said the chief objection seems to be that the Standard Oil Company having a large building in this locality, does not want any other gas station nearby.

The Commission felt that the Georgian type of gas station was appropriate for the National Capital and an improvement over the ordinary gas stations of the city.

15. EXTENSION OF THE CENTRAL PART OF THE CAPITOL EASTWARD: Mr. Moore said that a few days ago Hon. Fritz Lanham, Chairman of the House Committee on Public Buildings and Grounds, had asked him to attend the hearings on a proposed bill providing for the extension of the central portion of the Capitol

eastward as was contemplated by Thomas U. Walter in 1864; that also Mr. Lynn asked Mr. Swartwout to attend the hearing and that he had done so. Mr. Moore reminded the members that the Commission of Fine Arts had gone on record as favoring this project fully 10 years ago in the Eighth Report of the Commission, at which time the Commission had also recommended a marble dome and the completion of the frieze in the rotunda. In a general discussion of the subject the other members of the Commission present concurred with Mr. Moore and Mr. Swartwout that it would be a good thing to improve the appearance of the Capitol and allow for the preparation of plans and models for a study of the project as contemplated in the pending legislation. A letter of endorsement was sent to Representative Lanham. (Exhibit J)

16. BRIDGES TO CONNECT AGRICULTURE DEPARTMENT BUILDING: Mr. Louis A. Simon, Supervising Architect, submitted a revised plan, Scheme A, for a single span masonry arch to connect the Agriculture Department Buildings. The Commission felt that the design was a great improvement over former ones submitted by Mr. Simon and approved it. (Exhibit K)

Mr. Swartwout said that he still thought the steel arch is preferable but would interpose no objection to the erection of the masonry arch if that is what the Supervising Architect's Office wants.

The design was considered in the presence of Hon. Ferry Heath, former Assistant Secretary of the Treasury, who was a guest of the Commission at luncheon. Mr. Heath had charge of the Public Buildings Program under Secretary Mellon. He said that he was glad to see a design finally approved for this bridge since the project was taken up years ago when he was in office.

17. MURAL PAINTINGS FOR THE ARCHIVES BUILDING: In the afternoon the Commission visited the Archives Building and inspected enlarged solar prints of Barry Faulkner's sketches for the mural paintings in the rotunda of the building. Each of the prints covered the entire space provided for the paintings, which are to be 34 feet in length and 14 feet high. The figures were six feet high but Mr. Savage thought they should be just a little larger. Mr. Faulkner stated that he would have additional cartoons for inspection of the members of the Commission at a meeting to be held in Mr. Pope's office on Thursday, May 23.

18. PYLONS FOR THE TRIANGLE: Mr. Moore stated that the National Capital Park and Planning Commission had filed a protest with the Supervising Architect's Office against the erection of pylons in the Triangle. Models of pylons have been erected along the curb at 14th Street and Constitution Avenue. The Commission inspected these in the afternoon and could not see how they would interfere with the traffic as the National Capital Park and Planning Commission had stated. The members felt that these pylons serve a purpose in accentuating the entrance to the Triangle and help to embellish it just as the large sculptural figures by Mr. Fraser at the Archives Building embellish the entrance to that building.

19. FEDERAL RESERVE BOARD BUILDING PLANS: Mr. Moore stated that the competition for the Federal Reserve Board building plans will expire about the middle of May and that the jury will then consider the plans and make their selection of an architect. The winning design is to be submitted to the Commission of Fine Arts by the Federal Reserve Board on Monday, May 20, at which time Mr. Moore said the Commission of Fine Arts will meet here to advise in this matter.

20. SHIPSTEAD-LUCE ACT: The Secretary presented a letter received from Hon. E. Barrett Prettyman, the Corporation Counsel of the District of Columbia (Exhibit L) concerning a case involving an advertising sign at 15th and G Streets, N. W., opposite the United States Treasury, an application for which was submitted to the Commission of Fine Arts by the Commissioners of the District of Columbia and disapproved because there was a projection beyond the building line. The applicant having erected the sign in violation of the ruling of the Commission the case was taken up in court and the Shipstead-Luce Act was upheld by Judge Given of the District Police Court.

21. NEXT MEETING OF THE COMMISSION OF FINE ARTS: Following the meeting of the Commission of Fine Arts in Washington on May 20, the Commission decided to meet in New York City on May 23, on the occasion of the 25th anniversary of the establishment of the Commission of Fine Arts.

The Commission adjourned at 6:00 p. m.

C O P Y

May 1, 1935.

Dear Mr. Crunelle:

The Commission of Fine Arts at their meeting on April 25, 1935, considered your model for the statue of General Artemas Ward. Also, the model has been brought to the particular attention of Mr. Lawrie, sculptor member of the Commission.

The Commission of Fine Arts liked the upper part of your figure and they think it will have an excellent silhouette. There is a unanimous objection to the legs as being too spindly. The members think you might use the butt of an old cannon to help you at the back. We suggest that you eliminate some of the deeper undercuts and holes about the arms.

It is understood that the statue will be cast in bronze.

The Commission desire you to restudy the pedestal with your architects, Childs and Smith, from the point of view of a spectator. It is felt that the base is so wide at the plinth line as to cut off the ankles and feet from the view of the spectator. The members advise you to omit sculpture from the pedestal. They believe it will detract from the interest in the figure of Ward. Also they desire to see beauty in the design of the pedestal. Please submit a revised design of the pedestal before proceeding with the enlarged model.

The Commission advise against the use of polished Chelmsford gray granite. The Commission favor rather a dark green granite, such as the Au Sable Forks granite, from Waterbury, Vermont. The granite should be honed, not polished.

There is no objection on the part of the Commission of Fine Arts to your going ahead with the enlarged model of the figure of General Ward when you have made the changes heretofore mentioned. It may be, however, that the authorities of Harvard University will want to see a photograph of your small model before you go ahead with the enlarged model. We, therefore, suggest that you make such changes in the small model now as are possible, particularly in the appearance of the legs and submit a photograph of it to the Commission of Fine Arts, together with a revised design of the pedestal.

For the Commission of Fine Arts:

Sincerely yours,

(Signed) Charles Moore,

Chairman.

Mr. Leonard Crunelle,
6016 Ingleside Avenue,
Chicago, Illinois.

P. S. I am enclosing a photograph of Fraser's Alexander Hamilton, with the pedestal by Henry Bacon, not of course to be copied in any way, but merely as a suggestion. In no case would a seat be around the base.

EXHIBIT A

THE MIDWAY STUDIOS
6016 INGLESIDE AVE.
CHICAGO, ILL.

RECEIV
A
1935

May 8, 1935

Dear Mr. Moore:

I was very pleased to receive the photograph and letter informing me of the criticisms and suggestions of the Art Commission in regard to the General Artemas Ward model.

The undercuts and holes about the arms will be eliminated and the correction made with the lower part of the figure. Also I will keep in mind the use of the cannon butt as suggested by the Commission. I have found a fine model to pose for the large figure and am having a costume made to fit him as the costume purchased in Philadelphia, although costly, has proved very unsatisfactory.

In regard to the pedestal I will be very glad to omit the carving, as I too feel that it might detract from the interest in the figure, and it has always been dificult to keep the carving from destroying the lines of the architecture. Mr. Smith is now working on a new design for the pedestal and a plaster model will be sent to you as soon as the drawings are completed. In the meantime I am looking up very carefully the

THE MIDWAY STUDIOS
6016 INGLESIDE AVE.
CHICAGO, ILL.

different granites and will send the samples to you along with the model.

Photographs of the new model will be sent to you and Mr. Shattuck as soon as the changes can be made.

Sincerely yours,

Lenard Crunelle

Mr. Charles Moore
Commission of Fine Arts
Washington, D. C.

MAJORITY MEMBERS
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JOHN N. SANDLIN, LA.
CLARENCE CANNON, MO.
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WILLIAM W. ARNOLD, ILL.
JOHN J. BOYLAN, N. Y.
TILMAN B. PARKS, ARK.
LOUIS LUDLOW, IND.
WILLIAM J. GRANFIELD, MASS.
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EMMET O'NEAL, KY.
GEORGE W. JOHNSON, W. VA.
JAMES G. SCRUGHAM, NEV.
JAMES M. FITZPATRICK, N. Y.

MINORITY MEMBERS
JOHN TABER, N. Y.
ROBERT L. BACON, N. Y.
RICHARD B. WIGGLESWORTH, MASS.
CLARENCE J. MC LEOD, MICH.
LLOYD THURSTON, IOWA
FLORENCE P. KAHN, CALIF.
JOHN T. BUCKBEE, ILL.
CHESTER C. BOLTON, OHIO
WILLIAM P. LAMBERTSON, KANS.
D. LANE POWERS, N. J.
J. WILLIAM DITTER, PA.

MARCELLUS C. SHEILD, CLERK

House of Representatives
Committee on Appropriations
Seventy-Fourth Congress
Washington, D. C.

RECEIVED
FINE ARTS COMMISSION
WASHINGTON, D.C.
APR 24 1935
NOTED

April 23, 1935.

Mr. Charles Moore,
Chairman,
Fine Arts Commission,
Navy Building,
Washington, D.C.

Dear Mr. Moore:

I have been directed by the Thomas Jefferson Memorial Commission, to invite you to appear before the Executive Committee, which will hold a meeting on next Tuesday Afternoon at Three O'Clock, April 30th, at Room 456 House Office Building, to have you present suggestions to the Commission in connection with the proposed plan to erect a permanent Memorial in memory of Thomas Jefferson in the City of Washington.

As you know the President is personally interested in this matter and we would like to proceed with the shaping of our plans for the Memorial as expeditiously as possible.

We hope that you will be present at this meeting.

Cordially yours,

CHAIRMAN

THOMAS JEFFERSON MEMORIAL COMMISSION

THOMAS JEFFERSON MEMORIAL COMMISSION.

Hon. John J. Boylan, N.Y. Chairman

Vice Chairmen

Hon. Elbert D. Thomas, Utah.

Hon. Augustine Lonergan, Conn.

Hon. Charles L. McNary, Ore.

Secretary

Hon. Howard W. Smith, Va.

MEMBERS APPOINTED BY PRESIDENT.

Hon. Thomas Jefferson Coolidge,
Hon. Joseph P. Tumulty,
Mr. Hollins S. Randolph.

MEMBERS APPOINTED BY VICE PRESIDENT

Hon. Elbert D. Thomas,
Hon. Augustine Lonergan,
Hon. Charles L. McNary.

MEMBERS APPOINTED BY SPEAKER

Hon. John J. Boylan,
Hon. Howard W. Smith,
Hon. Francis D. Culkin.

MEMBERS APPOINTED BY JEFFERSON MEMORIAL FOUNDATION

Mr. Stuart G. Gibboney,
Dr. Fiske Kimball,
Dr. George J. Ryan.

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

CHARLES MOORE, Chairman
EGERTON SWARTWOUT JOHN M. HOWELLS
GILMORE D. CLARKE EUGENE F. SAVAGE
LEE LAWRIE CHARLES A. COOLIDGE
H. P. CAEMMERER, Secretary

NAVY DEPARTMENT BUILDING
WASHINGTON

April 30, 1935.

Sir:

The members of the Commission of Fine Arts submit herewith a report of their activities during the period, July 1, 1929, to December 31, 1934, to be transmitted to the Congress.

During the period covered by the report the Commission of Fine Arts has been charged by legislation with the control of the appearance of private buildings facing the main public buildings and the large public parks in the District of Columbia. Owing to a spirit of cordial cooperation on the part of the District Commissioners and of the private owners generally, such control has been exercised with no serious differences of opinion and no obstructions.

Also the most extensive public building operations ever undertaken by any government have been begun and virtually completed. Herein also the Commission have worked in entire harmony with the Treasury Department and other executive officers charged with the work.

Again, for the first time in its history the Supreme Court has been provided with a building exclusively for its work and worthy of the dignity that body as one of the three coordinate branches of the Government.

Also the great central composition of the national capital has been in course of development according to the original plan, drawn

by L'Enfant and approved by Washington, Jefferson, and restored, reaffirmed and extended by the McMillan plan of 1901. The Washington Monument gardens remain for restudy and for construction as the central feature of the main composition. This task may well await the completion of the other portions of the composition and the resulting growth of public taste, and a general public recognition of the supreme importance of this vital portion of the great plan.

One cardinal feature of both the L'Enfant and the McMillan plans is but half completed. The Legislative group of buildings centered on the Capitol has been carried out in monumental manner. The Executive group, with the White House as its focus, has been developed towards the east, along Pennsylvania Avenue even to the Capitol grounds. The development around Lafayette Square is only begun; and between the White House and Rock Creek Parkway, Pennsylvania Avenue is degenerating as the eastern section of that avenue degenerated until the Government entered upon the Triangle development. The immediate necessity for buildings for the War and the Navy Departments offers the opportunity now to make a symmetrical development of the Executive center on the same scale of efficiency, dignity and spaciousness that characterizes the Legislative group. Only so can the symmetry essential to the comprehensive development of the national capital be maintained.

Very respectfully yours,

To The President.

Members of the Commission of Fine Arts.

C O P Y

April 26, 1935.

Dear Sirs:

The Commission of Fine Arts, at their meeting on April 25, 1935, approved the design which was submitted in your behalf by the architects, Shreve, Lamb and Harmon, architects, of New York City, for your new building, to be built opposite Union Station Plaza, at Louisiana and New Jersey Avenues. The Commission will advise the Commissioners of the District of Columbia that the exterior of the building should be of white marble.

For the Commission of Fine Arts:

Very respectfully, yours,

(Signed) Charles Moore,

Chairman.

The Acacia Mutual Life Insurance Company,
1437 K Street, N. W.,
Washington, D. C.

EXHIBIT D

C O P Y

SHREVE, LAMB & HARMON
11 East 44th Street
New York

April 30, 1935.

Dear Mr. Moore:

Many thanks for your kind consideration of our drawings for the Acacia Mutual building. It was very gratifying indeed to have these drawings passed without objection.

We are going to make every effort of which we are capable to make this building one of the best in Washington.

Very truly yours,
SHREVE, LAMB AND HARMON
(Signed) Wm. F. Lamb.

Mr. Charles Moore, Chairman,
The Commission of Fine Arts,
Washington, D. C.

EXHIBIT D-1

ACACIA MUTUAL LIFE INSURANCE COMPANY
Washington, D. C.

May 1, 1935.

Dear Mr. Moore:

We sincerely appreciate your favor of the 26th ultimo advising us that the Commission of Fine Arts approved the design submitted by the architects, Shreve, Lamb and Harmon, for our new building to be built opposite Union Station Plaza at Louisiana and New Jersey Avenues. We also appreciate your informing us that the Commission will advise the Commissioners of the District of Columbia that the exterior of the building should be of white marble.

Thank you for your courtesy in notifying us of your action.

Sincerely yours,
(Signed) Wm. Montgomery,
President.

Mr. Charles Moore, Chairman,
The Commission of Fine Arts,
Washington, D. C.

EXHIBIT D-2

C O P Y

COMMISSION OF FINE ARTS
Washington

April 25, 1935.

Building Inspector,

District of Columbia.

Report of Approval of plans for a Gasoline Service Station at Massachusetts Avenue and Second Street, N. E., will be made on receipt of a formal application from your office.

H. P. Caemmerer,

Secretary.

EXHIBIT E

C O P Y

THE COMMISSION OF FINE ARTS
Washington

April 27, 1935.

Dear Mr. Bland:

The Commissi on of Fine Arts, to whom you referred H. R. 7501, a bill to authorize the erection of a suitable statue of Major General George W. Goethals, respectfully report in favor of the pssage of such legislation.

The Commission questions, however, whether the amount of money set forth in the bill would be sufficient to make a memorial properly commemorative of General Goethals' services. They also suggest that the word "statue" be changed to memorial, because it may be found on examination that you would desire to have a wider scope in the design of the commemorative monument.

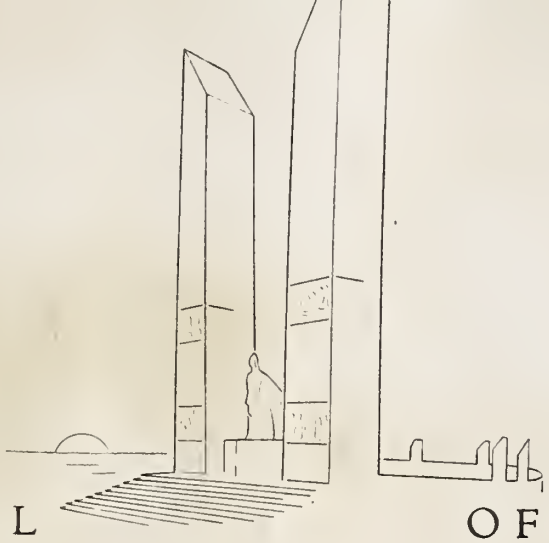
This action on the part of the Commission is taken in recognition of the fact that the former Culebra Cut has been named the Gaillard Cut, in commemoration of the services of Colonel Gaillard and has been marked by Mrs. Gaillard with a tablet; also in consideration of the fact that the Gorgas Institute for the study of tropical diseases, for which the Government makes an annual appropriation of $50,000, is a fitting memorial to General Gorgas' services.

For the Commission of Fine Arts:

Sincerely yours,
(Signed) Charles Moore,
Chairman.

Hon. S. O. Bland, Chairman,
Committee on Merchant Marine
and Fisheries,
House of Representatives,
Washington, D. C.

EXHIBIT F



MEMORIAL OF LEIF ERIKSON

IN AMERICA

The Ebbitt Hotel
Washington,D.C.
April 19th,1935.

ROOM 2209 · TRIBUNE TOWER · CHICAGO

Charles Moore,Esq.,
Chairman,
The Fine Arts Commission,
Washington,D.C.

My dear Mr. Moore:

It was very kind of you to take so much of your day to look into my work and the matter of the Leif Erikson Memorial. Senator Norbeck's office phoned me they were sending the large pictures of the Memorial down to your office yesterday by messenger. I am enclosing photographs of the two details for the reliefs shown you yesterday.

The plans call for black polished granite- possibly the northern Minnesota variety. Those portions which show lighter on the model will be effected by leaving the stone honed and by the colour of the reliefs themselves which will be developed in semi-polish. The balance of the honed areas will be completely covered by a monotone inscription - some thirty thousand letters composing a verbatim of the original text bearing upon the Norse pioneers in this country and an adequate English translation same. The lines will run original and translation alternately and concurrently. As you discovered yesterday from the plans the Monument is a feat of engineering as well as what I hope to make it - a restrained and moving statement of historic fact made intelligible to the contemporary epoch.

The site comprises four blocks in Grant Park opposite the Art Institute. This ground is worth $1, 350,000.00. $25,000.00 has been collected from popular sources. $265,000.00 is needed to complete the project. It is now before the government for such a grant as an official part of the lake front development for Chicago.

It would be a most fortunate thing for us if the Fine Arts Commission could feel convinced about the desirability of this Monument and would feel in a position to express their thoughts to the President at this time on the matter.

Very sincerely yours,
by: Oskar J.W.Hansen

EXHIBIT G

April 11, 1935.

Hon. Frederic A. Delano,
Chairman, National Capital Park and
Planning Commission,
Washington, D. C.

Attention: Mr. Thomas S. Settle.

My dear Mr. Delano:

We recall with distinct pleasure a conference which was held in your Conference Room during the previous summer with reference to either the replacement or the repair of the present Chain Bridge across the Potomac River in the vicinity of Little Falls.

We have been unofficially advised that until plans can be definitely evolved as to the character, type and design of a new bridge, in the event it should be decided that a new bridge is required in the public interest, that the money which might otherwise be available for the construction of a new bridge under the P. W. A. emergency fund cannot be recommended.

Having in mind this reasonable objection, it has been suggested that a bill be prepared under the terms of which the United States Bureau of Public Roads of the Department of Agriculture be authorized and directed by the President of the United States to undertake a complete survey and a detailed study in relation to the whole Chain Bridge subject.

Mr. Vernon E. West, Assistant Corporation Counsel of the District of Columbia, has been intrusted with the duty of preparing a bill for the approval of the Commissioners of the District of Columbia and for quick transmission to the Committees in Congress dealing with legislation for the District of Columbia.

In cooperation with Mr. West we are enclosing a proposed draft of a suggested form of bill and would be glad if you would immediately undertake a critical review of the provisions of this bill and advise us as quickly as you may be able your reaction as to the proper approach in dealing with this subject before the respective Committees in Congress.

EXHIBIT H

Mr. Frederic A. Delano. 4/11/35

We have felt that the Commissioners of the District of Columbia, in cooperation and concert with other State and Federal agencies, should be closely associated as an advisory body so that the advice and suggestions of this advisory body may be given to the Bureau of Public Roads which, according to the proposed draft of a bill, will be intrusted with the responsibility of making the survey and study.

Thanking you for your previous interest in this matter and asking that you immediately give us the benefit of your views, we are

Very truly yours,

Chairman, Committee on Bridg
Washington Board of Trade.

A BILL

To provide for a survey and study of the present Chain Bridge structure in the vicinity of Little Falls across the Potomac River with a view to either its replacement, repair upon the present site of the bridge, or upon a new site to be selected as a result of such survey and study.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and empowered to appoint a commission consisting of representatives of the War Department, the Highway Departments of the District of Columbia, Maryland and Virginia, and of the National Capital Park and Planning Commission and the Commission of Fine Arts of the District of Columbia, and the National Park Service of the United States Department of Interior for the purpose of making a complete survey and a detailed study as an advisory body in connection with the Bureau of Public Roads of the United States Department of Agriculture for the purpose of determing whether the present Chain Bridge structure should be repaired and widened upon its present site, or replaced with a new structure at another site as a result of such survey and study.

Sec. 2. The President is hereby further authorized and empowered to designate the Bureau of Public Roads, as hereinbefore described, for the purpose of undertaking the proposed survey and study in connection with said commission as an advisory body, and the said Bureau is hereby authorized to avail itself of all existing data in the official files and records of the Commissioners of the District of Columbia, the National Capital Park and Planning Commission and the Commission of Fine Arts, as well as such other data as may be in the possession of any other Federal or State governmental agency relating to the Chain Bridge.

Sec. 3. The Bureau of Public Roads is hereby authorized and directed to undertake such survey and study with all reasonable dispatch and to submit the result thereof with definite recommendations thereon to the President of

the United States on or before January 1, 1936, to the end that the President may submit in turn his definite recommendations to the Congress of the United States at its next regular session, convening on or about January 3, 1936, as to whether the present Chain Bridge shall be repaired and widened upon its present site or whether a new bridge upon another site in the vicinity of the Little Falls of the Potomac River shall be constructed to replace the present old Chain Bridge structure.

Sec. 4. The Bureau of Public Roads is hereby directed, if in its judgment and that of the advisory body hereby created it ~~should~~ shall so be determined, that a new bridge should be constructed upon another site to replace the present Chain Bridge, to definitely recommend the proportionate share of an estimated cost of a new bridge, to be borne by the District of Columbia, the Highway Departments of Maryland and Virginia, and the Federal Government, respectively.

Sec. 5. That there is hereby authorized to be appropriated out of any money in the Treasury of the United States, not otherwise appropriated, the sum of $15,000 or so much thereof as may be necessary to carry out the provisions of this Act, and the Commissioners of the District of Columbia are hereby authorized and directed to submit an estimate of $15,000 to the Congress of the United States through the Bureau of the Budget, the said amount hereby authorized when appropriated by Congress to be expended under the direction of the Bureau of Public Roads of the United States Department of Agriculture with the approval of the Commissioners of the District of Columbia and a due accounting made by the said Bureau to the said Commissioners of all expenditures made in connection with such survey and study.

C O P Y

THE COMMISSION OF FINE ARTS
Washington

April 30, 1935.

Dear Mr. Shinn:

Your letter of April 11th, with its enclosures, regarding a new Chain Bridge, received the attention of the Commission of Fine Arts, at their meeting on April 25, 1935. The Commission report that:

1. The Potomac River from Great Falls to Mount Vernon will flow through a national park--some day. This is manifest destiny. The American people will insist on this development as they have insisted on the largest and finest plans for the improvement of their capital city.

2. Chain Bridge is a feature in the District Park system. It will eventually connect the driveways along each bank of the Potomac, besides providing for north and south traffic. The island the bridge crosses ultimately will be developed as a park, and the flood problem will be taken care of after some engineering solution.

3. Whatever bridge shall be constructed should have a park character. It should also be adequate for traffic. The driveway should have at least four lanes. The bridge should be designed in masonry, with the idea of permanence. It should have no steel overhead structure. The Memorial Bridge and the Key Bridge are types of structures to be used. The Highway Bridge and the Railroad Bridge are types to be avoided. The cost of an adequate bridge would be upwards of amillion dollars. The estimate of $300,000 for any bridge across the Potomac River is absurdly small.

4. The approaches on both sides should be adequate to handle traffic and should be suited to the parkways of which they will be a part.

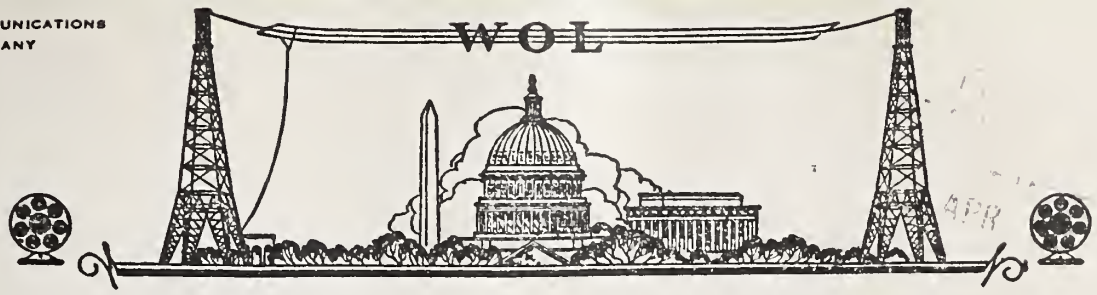
5. These are all questions of good order and appropriateness. They do not imply display and have no monumental character. They simply imply getting across the Potomac in a simple, straightforward manner.

Respectfully yours,
(Signed) Charles Moore,
Chairman.

Mr. G. C. Shinn, Chairman,
Committee on Bridges,
Washington Board of Trade,
Woodward Building,
Washington, D. C.

EXHIBIT H-1

ADDRESS ALL COMMUNICATIONS TO THE COMPANY



APR 193

AMERICAN BROADCASTING COMPANY

ANNAPOLIS HOTEL
WASHINGTON, D. C. April 16, 1935.

Fine Arts Commission,
Navy Building
Washington D.C.

Gentlemen:

This station has under consideration the removal of its transmitter and studios to a place where the building is better adapted for our use, in order that we may obtain studios large enough for our broadcasting.

In any removal we will be compelled to erect either a flagpole or windmill type of antenna approximately 150 feet in height, built out of a very thin but strong material, to withstand any excess wind velocity.

Should we endeavor to move into a residential section of the city, there would be serious objection by the residents that our transmitter would blanket the radios nearby, as has been the experience with stations throughout the country in moving. This, however, is not a fact as is evidenced by Stations WRC, WMAL and ours all being in the thickly populated section. Such protests seldom come when the proposed antenna is to be in the business section. We hesitate to apply for anything in the residential section because of this objection, but we have in mind at the moment the rear center of the Homer Building, located on 13th Street from F to G Streets. We wanted to ascertain whether or not your Commission would feel that the installation of a pole of this kind would be objectionable at that location before proceeding with negotiations with the owners.

Under the circumstances, we trust this will not be given any publicity as we do not desire to approach the owner of any property until we had first ascertained whether or not it met with your objection.

The writer will be very glad to drop in at your suggestion and answer any further questions you should like to have answered concerning it.

Very truly yours,

Le Roy Mark
President.

EXHIBIT I

C O P Y

April 26, 1935.

My dear Mr. Lanham:

The testimony I gave before your committee was based on a consensus of the opinion in this Commission in discussing the extension of the Capitol with Mr. Lynn.

At the meeting of the Commission of Fine Arts on April 25, 1935, I discussed with the Commission the subject of the hearings of your committee on the question of extension of the central portico of the Capitol Building eastward.

More than ten years ago the Commission of Fine Arts had gone on record in their Eighth Report in favor of the extension of the Capitol Building eastward, recognizing the fact that the Capitol Building as it stands today is an uncompleted building.

At the meeting of the Commission yesterday, the members took formal action in favor of such extension. Of course, it is understood that the extension commission, if created, will give adequate study to the details of the work, with proper architectural advice.

Sincerely yours,
(Signed) Charles Moore,
Chairman.

Hon. Fritz Lanham,
House of Representatives,
Washington, D. C.

EXHIBIT J

C O P Y

April 26, 1935.

Dear Mr. Simon:

The Commission of Fine Arts, at their meeting on April 25, 1935, approved Scheme A which you submitted for the single arch masonry bridges to be built across Independence Avenue to connect the Agricultural Department Buildings.

For the Commission of Fine Arts:

Sincerely yours,

(Signed) Charles Moore,

Chairman.

Hon. Louis A. Simon, Supervising Architect,
Procurement Division,
Treasury Department,
Washington, D. C.

EXHIBIT K

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

April 16, 1935.

Mr. H. P. Caemmerer,
Secretary, Commission of Fine Arts,
Constitution Avenue at 18th Street, N.W.,
Washington, D. C.

Dear Sir:

On February 12, 1934, you disapproved the sign project of the Quality Liquor Shop at the southeast corner of 15th and G Streets, N. W., which had been submitted to you by the Commissioners of the District of Columbia in accordance with the provision of Section 3 of the Sign Regulations of the District of Columbia to the effect that,

> "all applications for permits to erect signs, within the meaning of these regulations, on buildings or land in areas falling within the provisions of the Act of Congress approved May 16, 1930, known as the Shipstead Act, shall be submitted to the Commission of Fine Arts before permit is issued."

The local authorities thereupon refused a permit for the sign on the 15th Street side of the corner building, said sign being 20 x 2 feet, and facing the Treasury Building. Nevertheless, the proprietor of the store, Phillip Milstone, caused the sign to be placed as proposed in the rejected application, the same being more than 25 square feet in area and over a bay window on public space.

On May 3, 1934, the District of Columbia filed a charge against Mr. Milstone in Police Court for erecting this sign without a permit first having been issued therefor by the Inspector of Buildings of the District of Columbia.

Thereafter, the attorney for Mr. Milstone filed motions raising questions of law which, after extended argument, were determined in favor of the District of Columbia, and on July 13, 1934, the case was tried before Judge Given with yourself giving pertinent testimony.

EXHIBIT 1

On March 14, 1935, Mr. Milstone was found guilty and fined $10. His attorneys gave notice of applying for a review in the United States Court of Appeals, and placed bond for that purpose, but on March 21, 1935, the appeal was abandoned, the $10 paid, and Captain Oram, Director of Inspection, D. C., notified.

It is to be noted that although there is no enforcing provision in the Shipstead Act, the decision in this case holds there is no such re-delegation of authority to the Commission of Fine Arts by the Sign Regulations involved, or in the adopted policy of the Commissioners of the District of Columbia in connection with the maintenance of signs on public space adjacent to Federal property, as would destroy the efficacy of either of them.

Very sincerely yours,

E. BARRETT PRETTYMAN,
Corporation Counsel, D. C.

(D. C. v. Phillip Milstone,
Police Court case No. 1058183)

EWT-HMW